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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

v.

MARIA JESUS LUCIANO,

Defendant

Case No.: 2:17-cr-143-APG-PAL

**ORDER DENYING MOTION TO
REDUCE SENTENCE**

(ECF No. 64)

Defendant Maria Jesus Luciano filed a motion to reduce her sentence based upon her allegedly ill health. ECF No. 64. To obtain relief under the compassionate release statute, the prisoner first must show that she “has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on [her] behalf or the lapse of 30 days from the receipt of such a request by the warden of [her] facility, whichever is earlier.” 18 U.S.C. § 3582(c)(1)(a). Luciano does not state (and offers no evidence) that she has pursued relief through the Bureau of Prisons and the results of her efforts. Therefore, I cannot grant her relief.

In addition, Luciano does not present any documents or medical records to support her allegation that she is suffering a terminal illness or other serious medical condition that would satisfy the conditions adopted by the United States Sentencing Commission in Sentencing Guideline § 1B1.13 application note 1(A)(i)-(ii). Absent such proof, I cannot find “extraordinary and compelling reasons” to grant a reduction in her sentence. 18 U.S.C. § 3582(c)(1)(a). Thus, Luciano’s motion to reduce her sentence (**ECF No. 64**) is **DENIED without prejudice**.

Dated this 3rd day of January, 2020.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE